

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (BA) NO. 409 OF 2016

(Smt. Sharda w/o Hiralal Bagde & others Vs. The State of Maharashtra)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A. R. Prasad, Advocate for the applicants.
Smt. M. H. Deshmukh, A.P.P. for the State.

CORAM : S. B. SHUKRE, J.

DATED : 18 JULY, 2016

Heard.

It is seen that so far as the present applicants are concerned, the investigation is over and charge-sheet is already filed against them. The offence against them is one, which is punishable under Section 420 read with Section 34 of the Indian Penal Code. The application has been opposed by the learned A.P.P. for the State only on the ground that supplementary charge-sheet against the applicants and some of the accused is yet to be filed and that there is sufficient material showing prima facie involvement of these applicants.

The material on record indeed shows prima facie involvement of these applicants in the crime registered against them. But, that cannot be the reason for denying the relief of bail to these applicants in a

scenario wherein several cases are already pending on the file of the criminal Courts in which many under-trial prisoners are involved. The offence punishable under Section 420 I.P.C. prescribes maximum punishment of 7 years. It is not an offence which prescribes death penalty or life imprisonment. Applicant No.1 is a woman and applicants No. 2 and 3 have prima-facie played secondary role in the commission of crime registered against them. Therefore, now, the applicants would be entitled to be released on bail. Hence, the order.:

The application is allowed.

It is directed that the applicants be released on bail on each of them furnishing a P. R. Bond in the sum of Rs.25,000/- together with one solvent surety in the like amount on the conditions that the applicants shall regularly attend the Court on the dates fixed in the matter, shall cooperate with the Court in expeditious disposal of the case and shall not tamper with the prosecution witnesses.

JUDGE

CERTIFICATE

“I certify that this order uploaded is a true and correct copy of original signed order.”

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